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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Turpen, *et. al.*

Application No. 09/057,016

Filed: April 7, 1998

For: **PRODUCTION OF PEPTIDES IN
PLANTS AS VIRAL COAT
PROTEIN FUSIONS**

Art Unit: 1649

Examiner: David T. Fox

Attorney's Docket No: 08010087US01

TERMINAL DISCLAIMER UNDER 37 CFR§ 1.321 (c)

BOX AF

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The owner, Biosource Technologies, Inc. of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of U.S. Application Serial No. 08/324,003, filed on October 14, 1994. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Application Serial No. 08/324,003, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that the referenced patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

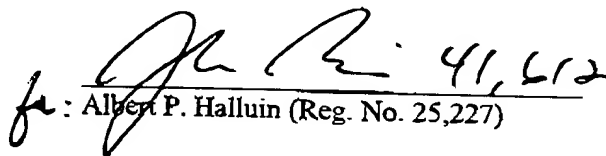
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were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A terminal disclaimer fee under 37 C.F.R. 1.20(d) is included.

Respectfully submitted,

Date: June 4, 1999

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for: Albert P. Halluin (Reg. No. 25,227)

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